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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/553,850

10/20/2005

Anders Edvard Trell

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EXAMINER

EL-ZOOBI, MARIA

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/553,850	Applicant(s) TRELL, ANDERS EDVARD	
	Examiner MARIA EL-ZOOBI	Art Unit 4178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☒ Claim(s) 1,6 and 16 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>07/06/2007, 01/31/2006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed on 10/20/2005 related to the document number 7308086-3 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because no English translation was provided. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.
3. Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. For example, Claim 1 recites the limitation "(B-replier)" it is not clear if it is parenthetical required to have this limitation. Claim 1, line 1, the cited "communication/control" is indefinite because it is not clear if "/" stands for "and" or "or".

Claim 1, line 6, the cited "machine/person" is indefinite because it is not clear if it refers to "machine" or "person" or "machine and person".

Claim 1, line 14, the cited "signal/data" is indefinite for the similar reasons above.

Claim 2 recites the limitation "(caller-ID)" it is not clear if it is parenthetical required to have this limitation. Claim 7, the phrase "for example" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Objections

4. Claims 1, 6 and 16 are objected to because of the following informalities: in claim 1, the term "signalling" should be corrected to "signaling" and the term "signalled" should be corrected to "signaled". In claim 6, the term "dispension" should be corrected to "dispensing". Claim 16, the phrase "The A system" should be corrected to "a system". Appropriate correction is required. Claim 16 includes the phrase "the A system" should be corrected to "a device".

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1- 5, 7-8, 12-16 and 17, as best understood in light of the multiple 112 second paragraph issues, are rejected under 35 U.S.C. 102(b) as being unpatentable by Trell US (3,947,641).

Regarding claim 1, Trell discloses, method for communication/control of access (Col. 2, lines 36-39) includes the steps:

a person establish a contact (Col. 2, lines 66; reads on the visitor) for obtaining access as an initial step via telephone or other communication means at hand

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establishes contact with a machine or person (B-replier) (Col. 2, lines 66-68 and Col. 3, lines 1-2);

that as a subsequently following step contacted machine/person (GB-replier) on basis of obtained verbal or signalled information (Col. 4, lines 6-8 and 24-31) evaluates whether or not requested access should be allowed (Col. 4, lines 64-68 and Col. 5, lines 25-28; so the replier may choose to open the door or not) and

that as a final step, on accepted received information from the calling person (Col. 5, lines 4-5), contacted machine or person (B-replier) initiates performance of required action by connection to and signalling via fixed or mobile telephone network its authorization and request for services to an influenceable unit providing the access service, which, on acceptance of received signals/data, performs required action (Col. 4, lines 47-53 and 64-68; Col. 5, lines 1-14).

Regarding claim 2, Trell discloses, in which received signals/data comprises regular number representation/ (caller-ID) information (Col. 4, lines 6-8 and Col. 3, lines 4-7; the signal contains the phone number).

Regarding claim 3, Trell discloses, which the final signalling from the B-replier also may be a fixed execution of said initial/prior steps (Col. 5, lines 4-7 and 25-26; the signal from the replier is either open/do not open the door) and that the interaction from the visitor may vary (Col. 4, lines 29-31 and Col. 2, lines 55-58; the visitor may have a video or audio communication with the replier).

Regarding claim 4, Trell discloses, the initial step of the B-replier is

performed by a person authorized to enter a building/area to which a visitor wishes to gain access (Col. 7, lines 38-42), and

characterized in that during the final step, the B-replier calls/addresses a telephone network connected influenceable unit (Col. 7, lines 48-52 and Col. 4, lines 49-53) which performs control of the B-repliers authority by checking whether or not the addressing number is an approved telephone number or similar (Col. 7, lines 64-68 and Col. 8, lines 1-4)

that acceptance as a correct addressing number allows or effectuates performance of a predetermined action (Col. 7, lines 64-68 and Col. 8, lines 1-4)

that the B-replier optionally further can perform input of a code sequence (Col. 5, lines 1-13) by means of its keypad or similar (see Fig.1, el. Number selector and Col. 3, line 64) and

that inputted code sequence is checked by the called unit, and on acceptance as a correct sequence, results in performance of a predetermined action (Col. 5, lines 3-13).

Regarding claim 5, Trell discloses, that the B-replier performs input/activation of a freely chosen code sequence which during a predetermined period of time can be used as an activating code by an outside keypad for gaining access (Col. 6, lines 20-35; the limitation "during predetermined period of time "is met in Col. 5, lines 21-33; so the visitor has to use the code sequence during a predetermined time or the access will be denied).

Regarding claim 7, Trell discloses, related to an entrance telephone installation, characterized in that connected tenants or similar are divided into two or more groups having from each other different status (Col. 7, lines 6-14), e.g. entrance calls charged to the visitor=s mobile telephone, call charge(s) accepted by tenant (020-status) etc.

Regarding claim 8, Trell discloses, the influenceable unit is permanently connected to a fixed or wireless telephone network (see Fig. 1, the entrance set “influenceable unit is connected to the telephone network) primarily arranged to accept only incoming calls (Col. 4, lines 45-53).

Regarding claim 12, Trell discloses, that a code lock device is integrated (Col. 5, lines 5-13 and Col. 6, lines 17-22).

Regarding claim 13, Trell discloses, a keypad is integrated (Col. 3, lines 60-65).

Regarding claim 14, Trell discloses, that a speech/audio part is integrated (Col. 2, lines 52-56).

Regarding claim 15, Trell discloses, the device for upgrading/complementing a system of a type selected from the group consisting of an access control system, an alarm control system and a combined access control and alarm control system with a device (Col. 2, lines 35-39 and see Fig.1; the entrance set with all the devices contain in it is, is used to control the access).

Regarding claim 16, Trell discloses, a system of a type selected from the group consisting of an entrance telephone system, an alarm system and a combined entrance

telephone system and alarm control system (see Fig. 1; the system in Fig. 1 characterize an entrance telephone system).

Regarding to claim 17, Trell discloses, reading (Col. 3, lines 7-11) and temporary storing/saving of the number of a visiting telephone (Col. 3, lines 63-64) gives access to commencing part of a follow-up transaction (Col. 3, lines 7-17).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6, 11 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trell US (3,947,641) in view of Jervill Martin (WO 00/35178).

Regarding claim 6, Trell discloses, that the final step involves that the visitor places a phone call using the handset on the entrance set (Col. 2, lines 54-55)

maintaining a connection to the B-replier through a switch (see Fig. 1; the switch 1 is on position I to connect the visitor to the replier)

establish a connection between the influenceable unit and B-replier to exchange information (see Fig. 1; when the switch move to position II, that will allow the signal that includes the information to pass to the entrance set "influenceable unit")

Trell does not disclose, the visitor places utilized mobile telephone against a "cradle" or other means thereby transferring signal communication from the user to the influenceable unit and establishing a two-way signalling connection between B-replier and influenceable unit; and that after completed and approved step with transfer of information the influenceable unit performs printout/dispension of ticket/document/service/goods requested by the visitor during initial communication with the B-replier.

Martin discloses, the visitor places utilized mobile telephone against a "cradle" or other means (Fig. 1, el. 1), transferring signal communication from the user to the influenceable unit (Pg. 4, lines 22-27, Pg. 5, lines 10-16; the influenceable unit could be the door Fig. 1, el. 17 or the vending machine Fig. 1, el. 28) and establishing a two-way signalling connection between B-replier and influenceable unit (Pg. 6, lines 7-14; the replier reads on telephone unit Fig.1, el. 12)

and that after completed and approved step with transfer of information the influenceable unit performs printout/dispension of ticket/document/service/goods requested by the visitor during initial communication with the B-replier (Pg. 6, lines 7-16).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made, to modify Trell method as suggested by Martin to include using a cell phone to control access to a building, ordering product in order to give the user more flexibility in accomplishing those tasks, i.e., the user does not have to step out of his car to activate the garage door opener or purchase a product from the

vending machine.

Regarding claim 11, Trell discloses, the receiver “the number discriminator” see Fig.1, receive the phone number that the visitor dialed” which it the resident phone number”.

Trell does not disclose that a receiver for reception of Caller-ID is integrated.

Martin discloses that a receiver for reception of Caller-ID is integrated (Pg. 3, lines 7-10).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to modify Trell method to include that the visitor uses his cell phone and that the receiver receive the ID of this cell phone, as suggested by Martin in order for the receiver to recognize the caller person so the receiver party will have the choice not to answer the phone if he/she does not want to.

Regarding claim 18, Trell discloses, in which independently of exact or internally related execution of said steps, the influenceable unit directly after receipt and checking of an authorized number performs corresponding final function.

Trell does not expressly disclose integrated caller ID.

Martin discloses that the system use caller ID service (Pg. 3, lines 6-10)

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to modify Trell system to include a caller ID service, as suggested by Martin, so the system will recognize the caller phone number, in order to give the replier the choice to answer the call or not.

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Trell US (3,947,641) in view of Carter US (7,193,644).

Regarding claim 9, Trell discloses, whereby required exchange of information between B-replier and influenceable unit relating to approved action is transferred via thus established connection. (Col. 5, lines 1-15; the connection between the unit and the replier allows the information to transfer from the replier to the unit).

Trell does not disclose, the device for communication/control of access characterized in that the influenceable unit is not permanently connected to a fixed or wireless telephone network, but includes a device by means of which a visitor can place his mobile telephone while in a connected condition to the B- replier in order to establish a telecom connection and a two-way signalling connection between influenceable unit

Carter disclose the device for communication/control of access characterized in that the influenceable unit (Fig. 1, el. 114) is not permanently connected to a fixed or wireless telephone network (Fig. 1), but includes a device (Fig. 2, el. 10 and Col. 3, lines 11-20) by means of which a visitor can place his mobile telephone while in a connected condition to the B- replier in order to establish a telecom connection and a two-way signalling connection between influenceable unit and the replier (Col. 7, lines 41-45, 51-54 and 58-61).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to modify Trell system to include Carter's DVMS module,

which carter suggest that it could be a cell phone and that is self contained door communication device “there is a place to place the cell phone” so the visitor can have a video communication with the occupant when he /she places the cell phone i.e., on the door of the entrance and the occupant, then the occupant can send information to open the door.

9. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Trell US (3,947,641) in view of Trell US (5,046,083).

Regarding claim 10, Trell (3,947,641) discloses, a telecom communication between the visitor at the entrance set “influenceable set” and the replier (Col. 2, lines 55-56).

Trell does not disclose, that the telecom connection for the influenceable unit is arranged to facilitate outgoing calls from alarm sensors, which preferably are given priority over incoming calls.

Trell (5,046,083) discloses that the telecom connection for the influenceable unit is arranged to facilitate outgoing calls from alarm sensors, which preferably are given priority over incoming calls (Col. 4, lines 13-29).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made, to modify Trell (3,947,641) to have alarm sensors and to give the calls from the alarm higher priority, as suggested by Trell in (5,046,083), in order to have more security in the building, so when there is a security issue, the call

from the alarm will be connected to the replier first.

10. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Trell US (3,947,641) in view of Franz US (2007/0229569)

Regarding claim 19, Trell discloses that the communication to/from the user could be verbal or video communication

Trell does not disclose that communication to and/or from a user is completely or partially communicated as SMS and/or EMS/MMS.

Franz discloses intercom system where the communication to and/or from a user is completely or partially communicated as SMS and/or EMS/MMS (Paragraph 0031)

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to modify Trell system to include SMS service as suggested by Franz, in order to provide short message service to the user of the system, so the visitor can leave a short message for the replier in case he/she didn't find him/her.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARIA EL-ZOOBI whose telephone number is (571)270-3434. The examiner can normally be reached on Monday-Friday (8AM-5 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsng can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/M. E./
Examiner, Art Unit 2614

/Curtis Kuntz/
Supervisory Patent Examiner, Art Unit 2614